***RSA* No.379 of 1995**

3.7.2007 Present: Mr. G.D. Verma, SeniorAdvocate with Mr. B.C. Verma, Advocate, for the appellant.

Mr. Rakesh Jaswal, Advocate, for the respondent.

CMP(M) No.395 of 2007

This is an application under Section 5 read with Order 22, rule 9 CPC, for condonation of delay filed by applicants Smt. Dasodha Devi etc. The application is supported by an affidavit of Surinder Kumar. No reply is intended to be filed. For the reasons stated in the application, the same is allowed and delay in filing the application under Order 22 Rule 3 CPC is condoned. The application is accordingly disposed of.

CMP(M) No.394 of 2007

This is an application under Order 22 Rule 3 read with Section 151 CPC filed by applicants Smt. Dasodha Devi etc , for bringing on record of legal representatives of deceased sole appellant Krishan Dass, who has died on 13.9.2003. The application is supported by an affidavit of Surinder Kumar. No reply is intended to be filed by the other side. For the reasons stated in the application, the same is allowed and the legal representatives of deceased Krishan Dass mentioned in para-2 of the application are brought on record. The memo of parties be corrected accordingly.

CMP No.427 of 2007

This is an application under Order 23 Rules 1 & 2 read with Section 151 CPC filed by the appellant Smt. Dasodha Devi etc. In the application the applicants-appellants have prayed for withdrawal of the appeal which is not opposed, hence, application is allowed and appeal is dismissed as withdrawn.

RSA No.379 of 1995

In view of the decision of CMP No.427 of 2007, appeal is dismissed as withdrawn.

(Kuldip Singh)
Judge.

July 3, 2007
(sks)